

your copy

FILED

Case 1:08-cv-02753

Document 12-3

Filed 05/09/2008

Page 1 of 14

FE

MAY 9, 2008

**MICHAEL W. DOBBINS
CLERK, U.S. DISTRICT COURT**

**United States District Court
Southern District of New York
Office of the Clerk
U.S. Courthouse
500 Pearl Street, New York, N.Y. 10007-1213**

FILED

MAY 09 2008

NF

Date: May 6, 2008

**MICHAEL W. DOBBINS
CLERK, U.S. DISTRICT COURT**

Our case # **08 cv 1303**

Case Name: **Re: Revcon, Inc vs Alaron Trading Corp.**

Dear Sir or Madam:

Enclosed is a certified copy of the civil docket sheet for the above referenced case that is being transferred from the United States District Court S.D.N.Y.- **to the Eastern Division of Illinois**. The case file can be accessed through our CM/ECF System for the Southern District of New York. Please contact Ms. Martine Jocelyn at (212) 805- 5346 and she will furnish you with a CM/ECF Login and Password.

The enclosed copy of this letter is for your convenience in acknowledging receipt of these documents.

****Court policy for USDC-SDNY states that all ECF actions require only original, manual paper filings for the initiating documents. You may access our CM/ECF website for any additional documents that your court may require for processing.****

Yours truly,

J. Michael McMahon
Clerk of Court

J. Schieb
Deputy Clerk



jab

**08CV2753
JUDGE GETTLEMAN
MAGISTRATE JUDGE BROWN**

Fed Ex Air bill # 8655 7112 4234

**RECEIPT IS ACKNOWLEDGED OF THE DOCUMENTS DESCRIBED HEREIN
AND ASSIGNED CASE NUMBER:**

CASE # _____ ON DATE: _____

CASE TRANSFERRED OUT FORM

FILED

MAY 09 2008

NF

**MICHAEL W. DOBBINS
CLERK, U.S. DISTRICT COURT**

CLOSED, ECF

**U.S. District Court
United States District Court for the Southern District of New York (Foley Square)
CIVIL DOCKET FOR CASE #: 1:08-cv-01303-RMB
Internal Use Only**

Revcon, Inc. v. Alaron Trading Corp.
Assigned to: Judge Richard M. Berman
Demand: \$730,000
Case in other court: Supreme Court-County of New York,
604228-07
Cause: 28:1441 Notice of Removal

Date Filed: 02/08/2008
Date Terminated: 03/21/2008
Jury Demand: None
Nature of Suit: 850
Securities/Commodities
Jurisdiction: Federal Question

Plaintiff**Revcon, Inc.**

represented by **Jeffrey Stuart Eisenberg**
Jeffrey S. Eisenberg, Attorney At Law
401 Broadway, Suite 810
New York, NY 10013
(212) 219-3041
Fax: (212)-966-1801
Email: jeislaw@aol.com
ATTORNEY TO BE NOTICED

**08CV2753
JUDGE GETTLEMAN
MAGISTRATE JUDGE BROWN**

V.

Defendant**Alaron Trading Corp.**

represented by **Martha Jane Brosius**
Brosius Trask LLP
420 Lexington Avenue
Suite 2800
New York, NY 10012
(212) 661-0065
Fax: (212) 661-0601
Email: mbrosius@brosiustrask.com
**LEAD ATTORNEY
ATTORNEY TO BE NOTICED**

Date Filed	#	Docket Text
02/08/2008	<u>1</u>	NOTICE OF REMOVAL from Supreme Court, County of New York. Case Number: 604228-07. (Filing Fee \$ 350.00, Receipt Number 640902).Document filed by Alaron Trading Corp..(mbe) (mbe). (Entered: 02/08/2008)

		02/11/2008)
02/08/2008	●	Magistrate Judge James C. Francis is so designated. (mbe) (Entered: 02/11/2008)
02/08/2008	●	Case Designated ECF. (mbe) (Entered: 02/11/2008)
02/08/2008	● <u>2</u>	RULE 7.1 CORPORATE DISCLOSURE STATEMENT. No Corporate Parent. Document filed by Alaron Trading Corp..(mbe) (mbe). (Entered: 02/11/2008)
02/15/2008	● <u>3</u>	ENDORSED LETTER addressed to Judge Richard M. Berman from Martha J. Brosius dated 2/15/2008 re: Requesting that the Court stay the F.R.C.P. 81(c)(2)(C) requirement that a motion to change venue be filed within 5 days of the filing of the notice of removal.. ENDORSEMENT: Plaintiff may not appear pro se (if it is a corporation) or else it will violate Court rules. Counsel needs to appear for both sides on 2/29/2008 at 9:30 a.m. Def. to send this order to Plaintiff. (Signed by Judge Richard M. Berman on 2/15/2008) (jpo) (Entered: 02/15/2008)
02/15/2008	● <u>4</u>	ENDORSED LETTER addressed to Judge Richard M. Berman from Martha J. Brosius dated 2/13/08 re: Request to stay the FRCP 81(c)(2)(C) requirement that a Motion to Change Venue be filed 5 days of the filing of the Notice of Removal and schedule a pre-motion conference as soon as possible. ENDORSEMENT: Plaintiff may NOT appear pro se (if it is a corporation) or else it will violate court rules. Counsel needs to appear for both sides on 2/29/08 at 9:30 a.m. Defendant to send this Order to plaintiff. SO ORDERED. (Pre-Motion Conference set for 2/29/2008 at 09:30 AM before Judge Richard M. Berman.) (Signed by Judge Richard M. Berman on 2/15/08) (db) (Entered: 02/15/2008)
02/28/2008	● <u>5</u>	ENDORSED LETTER addressed to Judge Richard M. Berman from Martha Brosius dated 2/27/08 re: counsel for defendant requests permission for Chicago counsel, to attend the Court hearing, via telephone. ENDORSEMENT: Application granted. Counsel to arrange. (Signed by Judge Richard M. Berman on 2/28/08) (dle) (Entered: 02/28/2008)
02/29/2008	●	Minute Entry for proceedings held before Judge Richard M. Berman: Status Conference held on 2/29/2008. PL. needs an attorney; Corp can not appear Pro Se. (pl) (Entered: 03/05/2008)
03/21/2008	● <u>6</u>	ORDER OF DISCONTINUANCE: that the above-entitled action be, and the same hereby is, discontinued, provided, however, that by March 31, 2008, Plaintiff, by counsel, may apply by letter showing good cause why this action should be restored to the calendar of the undersigned. (Signed by Judge Richard M. Berman on 3/21/08) (tro) (Entered: 03/21/2008)
03/21/2008	●	(Court only) ***Civil Case Terminated.*** (tro) (Entered: 03/21/2008)
03/31/2008	● <u>7</u>	TRANSCRIPT of proceedings held on 3/21/2008 before Judge Richard M. Berman. (ama) (Entered: 03/31/2008)

03/31/2008	● <u>8</u>	NOTICE OF APPEARANCE by Jeffrey Stuart Eisenberg on behalf of Revcon, Inc. (Eisenberg, Jeffrey) (Entered: 03/31/2008)
03/31/2008	● <u>9</u>	ENDORSED LETTER addressed to Judge Richard M. Berman from Jeffrey S. Eisenberg dated 3/31/08 re: Counsel requests on behalf of plaintiff that the case be restored. ENDORSEMENT: Conference will all counsel on 4/4/08 @ 9:30 AM. All current orders are continued pending a conference, including dismissal. (Status Conference set for 4/4/2008 at 09:30 AM before Judge Richard M. Berman.) (Signed by Judge Richard M. Berman on 3/31/08) (tro) (Entered: 04/01/2008)
04/04/2008	●	Minute Entry for proceedings held before Judge Richard M. Berman: Status Conference held on 4/4/2008. (Status Conference set for 4/28/2008 at 09:15 AM before Judge Richard M. Berman). (pl) (Entered: 04/07/2008)
04/25/2008	● <u>10</u>	ENDORSED LETTER addressed to Judge Richard M. Berman from Martha J. Brosius dated 4/25/08 re: All parties and counsel for the above-referenced matter have agreed to change of venue from the Southern District of New York to the Eastern Division of Illinois. Counsel requests an adjournment of the appearance scheduled before the Court on Monday, April 28, 2008 at 9:00 am until the stipulation is available for delivery to the Court. ENDORSEMENT: CONFERENCE IS VACATED. (Signed by Judge Richard M. Berman on 4/25/08) (tro) (Entered: 04/28/2008)
04/25/2008	●	(Court only) ***Deadlines terminated. (tro) (Entered: 04/28/2008)
05/06/2008	● <u>11</u>	MEMO ENDORSED ON STIPULATION TO CHANGE VENUE: ENDORSEMENT: Clerk is requested to transfer and then close this case. So Ordered (Signed by Judge Richard M. Berman on 5/6/08) (js) (Entered: 05/06/2008)

A CERTIFIED COPY

J. MICHAEL McMAHON,

CLERK

BY

DEPUTY CLERK

FILED

MAY 09 2008

NF

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK_____
REVCON, INC.,

Plaintiff,

v.

ALARON TRADING CORP,

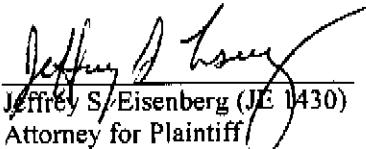
Defendant.
_____**MICHAEL W. DOBBINS**
CLERK, U.S. DISTRICT COURT**STIPULATION
TO CHANGE VENUE**

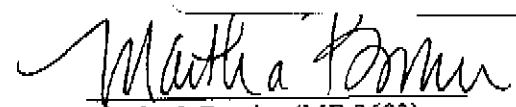
08 Civ. 1303 (RBM)

MEMO ENDORSED

IT IS HEREBY AGREED, by the undersigned the attorneys of record for Plaintiff and Defendant that the parties in the above-entitled action consent to a change of venue from the United States District Court, Southern District of New York, to the United States District Court, Eastern Division of Illinois as the Court has the reinstated this matter to the calendar. Notice of pending court dates in the Eastern Division of Illinois shall be served upon counsel of record.

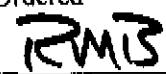
Dated New York, New York
April 25, 2008**08CV2753
JUDGE GETTLEMAN
MAGISTRATE JUDGE BROWN**


Jeffrey S. Eisenberg (JE 1430)
Attorney for Plaintiff
REVCON, INC.
401 Broadway, Suite 810
New York, New York 10013
(212) 219-3041


Martha J. Brosius (MB 3693)
SHENWICK & ASSOCIATES
Attorneys for Defendant
ALARON TRADING CORP.
655 Third Avenue, 20th Floor
New York, New York 10017
(212) 541-6224

Horwood Marcus & Berk Chartered
Attorneys for Defendant
180 North LaSalle Street, Suite 3700
Chicago, IL 60601
Hal J. Wood (*Pro Hac Vice* Application to be filed)
Stavros S. Giannoulis
(*Pro Hac Vice* Application to be filed)

Clerk is requested to transfer
+ then close this case
So Ordered


Richard M. Berman, U.S.D.J.

A CERTIFIED COPY
J. MICHAEL McMAHON,

CLERK

BY

DEPUTY CLERK

CASE FILED

5/6/08

Judge Berman

SHENWICK & ASSOCIATES
655 Third Avenue, 20th Floor
New York, New York 10017
(212) 541-6224

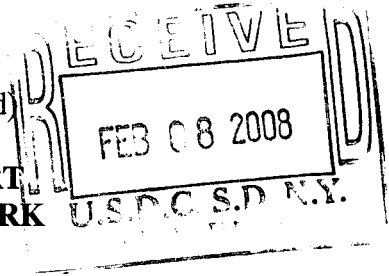
By: Martha J. Brosius, *Of Counsel* (MB3696)
BROSIUS TRASK LLP
420 Lexington Avenue, Suite 2800
New York, New York 10170
(212) 661-0065

08 CV 01303

HORWOOD MARCUS & BERK CHARTERED
180 North LaSalle Street, Suite 3700
Chicago, IL 60601

By: Hal J. Wood (*Pro Hac Vice* Application to be filed)
Stavros S. Giannoulis (*Pro Hac Vice* Application to be filed)

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**



REVCON, INC.,

Plaintiff,

v.

ALARON TRADING CORP.,

Defendant.

Case No. 08 CV 01303
ECF CASE / RMB

NOTICE OF REMOVAL TO FEDERAL COURT

TO PLAINTIFF REVCON, INC.:

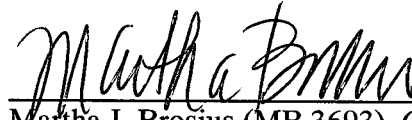
PLEASE TAKE NOTICE THAT Defendant ALARON TRADING CORPORATION, hereby gives notice that on February 8, 2008, it filed a Notice of Removal of this action in the United States District Court for the Southern District of New York, pursuant to 28 U.S.C. §1332.

A true copy of Defendant's Notice of Removal, as filed with the United States District Court, is attached hereto as Exhibit "A".

Dated: New York, New York
February 10, 2008

Yours, etc.

By:



Martha J. Brosius (MB 3693), *Of Counsel*

Brosius Trask LLP

420 Lexington Avenue, Suite 2800

New York, New York 10170

(212) 661-0061

Attorneys for Defendant Alaron Trading Corp.

TO:

James H. Shenwick
SHENWICK & ASSOCIATES
655 Third Avenue, 20th Floor
New York, New York 10017
Attorneys for Defendant Alaron Trading Corp.

Hal J. Wood
Stavros S. Giannoulas
HORWOOD MARCUS & BERK CHARTERED
180 North LaSalle Street, Suite 3700
Chicago, Illinois 60601
Attorneys for Defendant Alaron Trading Corp.

Gregory Papadopoulos
REVCON, INC.
800 5th Avenue, Apt. 14B
New York, New York 10005
Plaintiff Pro Se

SHENWICK & ASSOCIATES
655 Third Avenue, 20th Floor
New York, New York 10017
(212) 541-6224

By: Martha J. Brosius, *Of Counsel* (MB3696)
BROSIUS TRASK LLP
420 Lexington Avenue, Suite 2800
New York, New York 10170
(212) 661-0065

HORWOOD MARCUS & BERK CHARTERED
180 North LaSalle Street, Suite 3700
Chicago, IL 60601

By: Hal J. Wood (*Pro Hac Vice* Application to be filed)
Stavros S. Giannoulas (*Pro Hac Vice* Application to be filed)

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

REVCON, INC.,

Plaintiff,

v.

ALARON TRADING CORP.,

Defendant.

)
)
)
)
)
)
)
)
)
)

Case No. 08 CV 01303
ECF CASE / RMB

DEFENDANT'S NOTICE OF REMOVAL

TO THE CLERK OF THE ABOVE-ENTITLED COURT:

PLEASE TAKE NOTICE that defendant ALARON TRADING CORPORATION, by and through its undersigned counsel, hereby removes this action from the Supreme Court of the State of New York, New York County, to the United States District Court for the Southern District of New York, pursuant to 28 U.S.C. §1332, on the following grounds:

1. Defendant is a party to an action that was filed on or about December 26, 2007, in the Supreme Court of the State of New York, Civil Court of the City of New York, New York County, Index No. 07-604228 captioned as Revcon, Inc. v. Alaron Trading Corp (the "Action").

2. A true copy of the Complaint and all other process, pleadings, and orders are attached hereto as Exhibit "A." To the best of Defendant's knowledge, Exhibit A to this Notice contains all of the pleadings currently on file in the Action.

3. Defendant was served with the Summons and Complaint on January 10, 2008.

4. Plaintiff, REVCON, INC. was formed under the laws of the State of Florida with its principal place of business in New York. It is therefore a citizen of the State of Florida and the State of New York pursuant to 28 U.S.C. §1332(c)(1).

5. Defendant, ALARON TRADING CORPORATION, was formed under the laws of the State of Illinois and maintains its principal place of business in the State of Illinois. It is therefore a citizen of Illinois pursuant to 28 U.S.C. §§ 1332(c)(1), and is the only defendant that has been served with a Summons and Complaint in this action.

6. Defendant ALARON TRADING CORPORATION is not a citizen of New York, and there is complete diversity of citizenship between Plaintiff and Defendant.

7. This action is a civil action of which this Court has original jurisdiction under 28 U.S.C. §1332, and is one that may be removed to this Court by defendant pursuant to the provisions of 28 U.S.C. §1441(b) in that it is a civil action between citizens of different states, and the matter in controversy exceeds the sum of \$75,000.00, exclusive of interest and costs. Plaintiff alleges that defendant's actions involving allegedly improper and/or unauthorized trading of certain commodities and/or options incurred losses to plaintiff of approximately \$725,600.00.

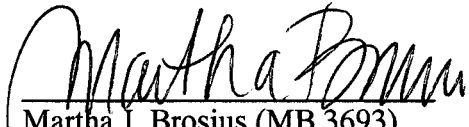
8. Defendant ALARON TRADING CORPORATION is, therefore, entitled to remove this action to this Court, pursuant to the provisions of 28 U.S.C. §1441, and thus seeks removal upon diversity of citizenship.

WHEREFORE, Defendant respectfully requests that this action be removed to the United States District Court for the Southern District of New York.

Dated: New York, New York
February 16, 2008

Respectfully submitted,

By:


Martha J. Brosius (MB 3693)
Brosius Trask LLP
420 Lexington Avenue, Suite 2800
New York, New York 10170
(212) 661-0061

Attorneys for Defendant Alaron Trading Corp.

TO:

James H. Shenwick
SHENWICK & ASSOCIATES
655 Third Avenue, 20th Floor
New York, New York 10017
Attorneys for Defendant Alaron Trading Corp.

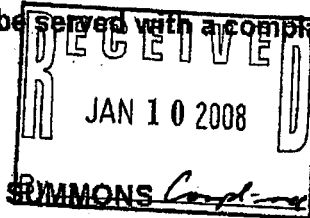
Hal J. Wood
Stavros S. Giannoulis
HORWOOD MARCUS & BERK CHARTERED
180 North LaSalle Street, Suite 3700
Chicago, Illinois 60601
Attorneys for Defendant Alaron Trading Corp.

Gregory Papadopoulos
REVCON, INC.
800 5th Avenue, Apt. 14B
New York, New York 10005
Plaintiff Pro Se

EXHIBIT A

[Print in black ink all areas in bold letters. This summons must be served with a complaint.]

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK



REVCON INC

[your name(s)] Plaintiff(s)

- against -

ALARON TRADING CORP

[name(s) of party being sued] Defendant(s)

Index Number

07-604228

Date Index Number purchased

200

To the Person(s) Named as Defendant(s) above:

PLEASE TAKE NOTICE THAT YOU ARE HEREBY SUMMONED to answer the complaint of the plaintiff(s) herein and to serve a copy of your answer on the plaintiff(s) at the address indicated below within 20 days after service of this Summons (not counting the day of service itself), or within 30 days after service is complete if the Summons is not delivered personally to you within the State of New York.

YOU ARE HEREBY NOTIFIED THAT should you fail to answer, a judgment will be entered against you by default for the relief demanded in the complaint.

Dated: 12-26-07, 200__
[date of summons]

GREGORY PAPADOPOULOS President of
[sign your name] Revcon Inc

GREGORY PAPADOPOULOS PRESIDENT
[print your name] REVCON INC

NEW YORK
COUNTY CLERK'S OFFICE

DEC 26 2007

800 5th aven Apt 14B
NEW YORK, N.Y. 10065
917-754-7979

[your address(es), telephone number(s)]

NOT COMPARED
WITH COPY FILE

Defendant(s) ALARON TRADING CORP
822 W. WASHINGTON BVD
CHICAGO IL 60607
312-563-8000

[address(es) of defendant(s)]

Venue: Plaintiff(s) designate(s) New York County as the place of trial. The basis of this designation is: [check box that applies]

☒ Plaintiff(s) residence in New York County

☒ Defendant(s) residence in New York County - major operations in NYC

☐ Other [See CPLR Article 5]:

SUPREME COURT IN THE STATE OF NEW YORK
COUNTY OF NEW YORK

-----X

INDEX# _____

COMPLAIN

REVCON INC

Plaintiff

ALARON TRADING CORP.

Defendant

-----X

Revcon inc is a Florida Corporation operating at the time out of 61E77 apt 6A New York, NY 10021(Revcon)

Alaron Trading Corporation is believed to be an Illinois Corporation, operating out of Chicago Il. and New York, NY. Alaron Trading Corp. (Alaron) is a member of the Chicago Mercantile Exchange and the New York Mercantile exchange.

In May and June of 2006 both entities had substantial operations in the City of New York.

Revcon was not a member of any exchanges and therefore not subject to compulsory exchange arbitration. Also Revcon in its application to open an account with Alaron did not consent to arbitration in case of a dispute.

Recon's account was engaged in buying and selling S&P 500 options that trade in the Chicago Mercantile Exchange. Revcon has been engaged in this business since 1986

On May 12 2006 Revcon had an account with Alaron showing a credit balance of \$1,432,100.

Do to adverse market conditions Revcon made an effort to hedge the account by executing risk reducing trades and voluntarily reduced the credit balance to \$1,234,200 as of the close of May 23, 2006.

Commencing with the morning of May 24, 2006 Alaron commenced liquidation of the account by executing both risk reduction trades and risk increasing trades.

Alaron in an intentional and malicious manner and despite the objections of Revcon executed risk increasing trades which further exposed Revcon to the vagrancies of the market. Alaron continued to execute risk increasing trades until June 15, 2006. When they stopped the balance in the account was a mere \$460,900 (\$47,700 in total was withdrawn by Revcon on May 26 and on May 30) thus unnecessarily losing \$725,600.

Revcon seeks to recover \$725,600 plus interest since May 24 2006 plus costs plus an unspecified amount of punitive damages.

Gregory Papadopoulos
Plaintiff, prosc
800 5th aven Apt 14B
New York, N.Y. 10065
Tel# 917-754-7979

Alaron Trading Corp.
822 W. Washington Blvd.
Chicago Il, 60607
Tel# 312-563-8000

Judge Berman

SHENWICK & ASSOCIATES
655 Third Avenue, 20th Floor
New York, New York 10017
(212) 541-6224

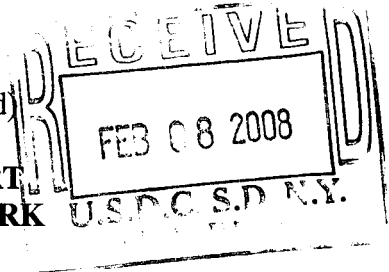
By: Martha J. Brosius, *Of Counsel* (MB3696)
BROSIUS TRASK LLP
420 Lexington Avenue, Suite 2800
New York, New York 10170
(212) 661-0065

08 CV 01303

HORWOOD MARCUS & BERK CHARTERED
180 North LaSalle Street, Suite 3700
Chicago, IL 60601

By: Hal J. Wood (*Pro Hac Vice* Application to be filed)
Stavros S. Giannoulis (*Pro Hac Vice* Application to be filed)

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**



REVCON, INC.,

Plaintiff,

v.

ALARON TRADING CORP.,

Defendant.

Case No. 08 CV 01303
ECF CASE / RMB

NOTICE OF REMOVAL TO FEDERAL COURT

TO PLAINTIFF REVCON, INC.:

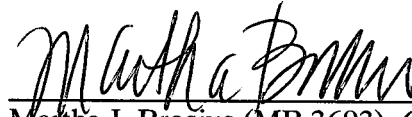
PLEASE TAKE NOTICE THAT Defendant ALARON TRADING CORPORATION, hereby gives notice that on February 8, 2008, it filed a Notice of Removal of this action in the United States District Court for the Southern District of New York, pursuant to 28 U.S.C. §1332.

A true copy of Defendant's Notice of Removal, as filed with the United States District Court, is attached hereto as Exhibit "A".

Dated: New York, New York
February 10, 2008

Yours, etc.

By:



Martha J. Brosius (MB 3693), *Of Counsel*

Brosius Trask LLP

420 Lexington Avenue, Suite 2800

New York, New York 10170

(212) 661-0061

Attorneys for Defendant Alaron Trading Corp.

TO:

James H. Shenwick
SHENWICK & ASSOCIATES
655 Third Avenue, 20th Floor
New York, New York 10017
Attorneys for Defendant Alaron Trading Corp.

Hal J. Wood
Stavros S. Giannoulis
HORWOOD MARCUS & BERK CHARTERED
180 North LaSalle Street, Suite 3700
Chicago, Illinois 60601
Attorneys for Defendant Alaron Trading Corp.

Gregory Papadopoulos
REVCON, INC.
800 5th Avenue, Apt. 14B
New York, New York 10005
Plaintiff Pro Se

SHENWICK & ASSOCIATES
655 Third Avenue, 20th Floor
New York, New York 10017
(212) 541-6224

By: Martha J. Brosius, *Of Counsel* (MB3696)
BROSIUS TRASK LLP
420 Lexington Avenue, Suite 2800
New York, New York 10170
(212) 661-0065

HORWOOD MARCUS & BERK CHARTERED
180 North LaSalle Street, Suite 3700
Chicago, IL 60601

By: Hal J. Wood (*Pro Hac Vice* Application to be filed)
Stavros S. Giannoulis (*Pro Hac Vice* Application to be filed)

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

REVCON, INC.,

Plaintiff,

v.

ALARON TRADING CORP.,

Defendant.

)
)
)
)
)
)
)
)
)
)

Case No. 08 CV 01303
ECF CASE / RMB

DEFENDANT'S NOTICE OF REMOVAL

TO THE CLERK OF THE ABOVE-ENTITLED COURT:

PLEASE TAKE NOTICE that defendant ALARON TRADING CORPORATION, by and through its undersigned counsel, hereby removes this action from the Supreme Court of the State of New York, New York County, to the United States District Court for the Southern District of New York, pursuant to 28 U.S.C. §1332, on the following grounds:

1. Defendant is a party to an action that was filed on or about December 26, 2007, in the Supreme Court of the State of New York, Civil Court of the City of New York, New York County, Index No. 07-604228 captioned as Revcon, Inc. v. Alaron Trading Corp (the "Action").

2. A true copy of the Complaint and all other process, pleadings, and orders are attached hereto as Exhibit "A." To the best of Defendant's knowledge, Exhibit A to this Notice contains all of the pleadings currently on file in the Action.

3. Defendant was served with the Summons and Complaint on January 10, 2008.

4. Plaintiff, REVCON, INC. was formed under the laws of the State of Florida with its principal place of business in New York. It is therefore a citizen of the State of Florida and the State of New York pursuant to 28 U.S.C. §1332(c)(1).

5. Defendant, ALARON TRADING CORPORATION, was formed under the laws of the State of Illinois and maintains its principal place of business in the State of Illinois. It is therefore a citizen of Illinois pursuant to 28 U.S.C. §§ 1332(c)(1), and is the only defendant that has been served with a Summons and Complaint in this action.

6. Defendant ALARON TRADING CORPORATION is not a citizen of New York, and there is complete diversity of citizenship between Plaintiff and Defendant.

7. This action is a civil action of which this Court has original jurisdiction under 28 U.S.C. §1332, and is one that may be removed to this Court by defendant pursuant to the provisions of 28 U.S.C. §1441(b) in that it is a civil action between citizens of different states, and the matter in controversy exceeds the sum of \$75,000.00, exclusive of interest and costs. Plaintiff alleges that defendant's actions involving allegedly improper and/or unauthorized trading of certain commodities and/or options incurred losses to plaintiff of approximately \$725,600.00.

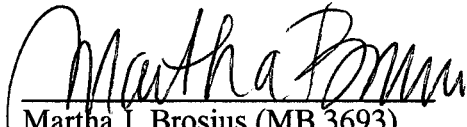
8. Defendant ALARON TRADING CORPORATION is, therefore, entitled to remove this action to this Court, pursuant to the provisions of 28 U.S.C. §1441, and thus seeks removal upon diversity of citizenship.

WHEREFORE, Defendant respectfully requests that this action be removed to the United States District Court for the Southern District of New York.

Dated: New York, New York
February 10, 2008

Respectfully submitted,

By:


Martha J. Brosius (MB 3693)
Brosius Trask LLP
420 Lexington Avenue, Suite 2800
New York, New York 10170
(212) 661-0061

Attorneys for Defendant Alaron Trading Corp.

TO:

James H. Shenwick
SHENWICK & ASSOCIATES
655 Third Avenue, 20th Floor
New York, New York 10017
Attorneys for Defendant Alaron Trading Corp.

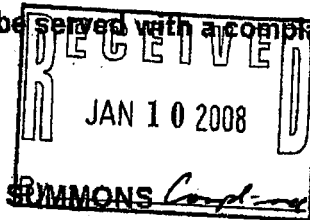
Hal J. Wood
Stavros S. Giannoulis
HORWOOD MARCUS & BERK CHARTERED
180 North LaSalle Street, Suite 3700
Chicago, Illinois 60601
Attorneys for Defendant Alaron Trading Corp.

Gregory Papadopoulos
REVCON, INC.
800 5th Avenue, Apt. 14B
New York, New York 10005
Plaintiff Pro Se

EXHIBIT A

[Print in black ink all areas in bold letters. This summons must be served with a complaint.]

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK



REVCON INC

[your name(s)] Plaintiff(s)

- against -

ALARON TRADING CORP

[name(s) of party being sued] Defendant(s)

Index Number

07-604228

Date Index Number purchased

_____, 200__

To the Person(s) Named as Defendant(s) above:

PLEASE TAKE NOTICE THAT YOU ARE HEREBY SUMMONED to answer the complaint of the plaintiff(s) herein and to serve a copy of your answer on the plaintiff(s) at the address indicated below within 20 days after service of this Summons (not counting the day of service itself), or within 30 days after service is complete if the Summons is not delivered personally to you within the State of New York.

YOU ARE HEREBY NOTIFIED THAT should you fail to answer, a judgment will be entered against you by default for the relief demanded in the complaint.

Dated: 12-26-07, 200__
[date of summons]

GREGORY PAPADOPOULOS
[sign your name] Revcon Inc

GREGORY PAPADOPOULOS PRESIDENT
[print your name] REVCON INC

NEW YORK
COUNTY CLERK'S OFFICE

DEC 26 2007

800 5th aven Apt 14B
NEW YORK, N.Y. 10065
917-754-7979

[your address(es), telephone number(s)]

NOT COMPARED
WITH COPY FILE

Defendant(s) ALARON TRADING CORP
822 W. WASHINGTON BVD
CHICAGO IL 60607
312-563-8000

[address(es) of defendant(s)]

Venue: Plaintiff(s) designate(s) New York County as the place of trial. The basis of this designation is: [check box that applies]

☒ Plaintiff(s) residence in New York County

☒ Defendant(s) residence in New York County - major operations in NYC

☐ Other [See CPLR Article 5]: _____

SUPREME COURT IN THE STATE OF NEW YORK
COUNTY OF NEW YORK

-----X

INDEX# _____

COMPLAIN

REVCON INC

Plaintiff

ALARON TRADING CORP.

Defendant

-----X

Revcon inc is a Florida Corporation operating at the time out of 61E77 apt 6A New York, NY 10021(Revcon)

Alaron Trading Corporation is believed to be an Illinois Corporation, operating out of Chicago Il. and New York, NY. Alaron Trading Corp. (Alaron) is a member of the Chicago Mercantile Exchange and the New York Mercantile exchange.

In May and June of 2006 both entities had substantial operations in the City of New York.

Revcon was not a member of any exchanges and therefore not subject to compulsory exchange arbitration. Also Revcon in its application to open an account with Alaron did not consent to arbitration in case of a dispute.

Recon's account was engaged in buying and selling S&P 500 options that trade in the Chicago Mercantile Exchange. Revcon has been engaged in this business since 1986

On May 12 2006 Revcon had an account with Alaron showing a credit balance of \$1,432,100.

Do to adverse market conditions Revcon made an effort to hedge the account by executing risk reducing trades and voluntarily reduced the credit balance to \$1,234,200 as of the close of May 23, 2006.

Commencing with the morning of May 24, 2006 Alaron commenced liquidation of the account by executing both risk reduction trades and risk increasing trades.

Alaron in an intentional and malicious manner and despite the objections of Revcon executed risk increasing trades which further exposed Revcon to the vagrancies of the market. Alaron continued to execute risk increasing trades until June 15, 2006. When they stopped the balance in the account was a mere \$460,900 (\$47,700 in total was withdrawn by Revcon on May 26 and on May 30) thus unnecessarily losing \$725,600.

Revcon seeks to recover \$725,600 plus interest since May 24 2006 plus costs plus an unspecified amount of punitive damages.

Gregory Papadopoulos
Plaintiff, prosc
800 5th aven Apt 14B
New York, N.Y. 10065
Tel# 917-754-7979

Alaron Trading Corp.
822 W. Washington Blvd.
Chicago Il, 60607
Tel# 312-563-8000